

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

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| In re: AKORN HOLDING COMPANY LLC, <i>et al.</i> , ¹ Debtors. | Chapter 7 Case No. 23-10253 (KBO) (Jointly Administered) |
| GEORGE MILLER, Chapter 7 Trustee of the bankruptcy estates of Akorn Holding Company LLC, <i>et al.</i> , Plaintiff, v. MCKESSON CORPORATION, MCKESSON SPECIALTY CARE DISTRIBUTION LLC, MCKESSON MEDICAL-SURGICAL, INC., Defendants. | Adv. Proc. No. 24-50042 (KBO) |

CERTIFICATION OF COUNSEL REGARDING PROPOSED SCHEDULING ORDER

The undersigned counsel to Plaintiff, George L. Miller, Chapter 7 Trustee for the bankruptcy estates of Akorn Holding Company LLC, Akorn Intermediate Company LLC, and Akorn Operating Company LLC (collectively, the “**Debtors**”) hereby certifies that:

1. Plaintiff filed its complaint against Defendants on April 15, 2024 (the “**Complaint**”) [Adv. Docket No. 1] in the United States Bankruptcy Court for the District of Delaware (the “**Court**”).

¹ The Debtors in these Chapter 7 Cases, along with the last four digits of each Debtor’s federal tax identification number, are: Akorn Holding Company LLC (9190); Akorn Intermediate Company LLC (6123) and Akorn Operating Company LLC (6184). The Debtors’ headquarters was located at 5605 CenterPoint Court, Gurnee, Illinois 60031.

2. On April 17, 2024, the Court issued the summons to the Complaint [Adv. Docket No. 8], which schedules the pretrial conference for June 5, 2024 at 9:30 a.m. (prevailing Eastern Time).

3. In accordance with Local Rule 7016-1, beginning on May 29, 2024, counsel for the Plaintiff and Defendants conferred regarding Plaintiff's proposed form of scheduling order, but ultimately could not agree on the form. It was agreed that the parties would submit their own scheduling orders to the Court.

4. Accordingly, the Plaintiff has attached its proposed scheduling order (the "**Plaintiff's Scheduling Order**") as **Exhibit A**. Given the context of the present litigation, the Plaintiff's Scheduling Order provides the Parties with ample time to conduct discovery and is consistent with scheduling orders submitted to and required by this Court. As such, to promote the efficient and expeditious disposition of this adversary proceeding, Plaintiff respectfully requests that the Court enter the Plaintiff's Scheduling Order.

5. For the avoidance of doubt, Defendants do not consent to the Plaintiff's Scheduling Order and intend to submit their own.

Dated: June 3, 2024

SAUL EWING LLP

By: /s/ Evan T. Miller
Evan T. Miller (DE Bar No. 5364)
Paige N. Topper (DE Bar No. 6470)
1201 N. Market Street, Suite 2300
Wilmington, DE 19801
Telephone: (302) 421-6800
evan.miller@saul.com
paige.topper@saul.com

and

Michelle G. Novick (admitted *pro hac vice*)
161 North Clark Street, Suite 4200
Chicago, IL 60601
Telephone: (312) 876-7899
michelle.novick@saul.com

and

Turner N. Falk (admitted *pro hac vice*)
1500 Market Street, 38th Floor
Philadelphia, PA 19102
Telephone: (215) 972-8415
turner.falk@saul.com

Counsel to Plaintiff